

Docket No.: 1163-0479P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hideaki MURAKAMI

Application No.: 10/698,481

Confirmation No.: 3225

Filed: November 3, 2003

Art Unit: 3683

For: CUSHIONING BODY

Examiner: M. O. Sy

REPLY TO NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Notification of Non-Compliant Appeal Brief dated July 11, 2007,
please amend said Appeal Brief as follows:

Amendments to the Appeal Brief begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

AMENDMENTS TO THE APPEAL BRIEF

Please insert the following in the Appeal Brief submitted May 24, 2006, replacing the "Summary of the Claimed Invention" section from page 2, line 3, to page 3, line 8.

V. SUMMARY OF THE CLAIMED INVENTION

With respect to independent claim 1, the claimed invention is directed to a cushioning body (Fig. 1, element 4) comprising a heat radiating elastic member (Fig. 2, element 5) arranged around an electromagnetic wave generating unit (Fig. 1, element 8) to provide cushioning for protection from physical shock and radiate heat generated by the electromagnetic wave generating unit (Fig. 1, element 8); and an electromagnetic wave blocking member (Fig. 2, element 6) arranged in the heat radiating elastic member (Fig. 2, element 5). [Page 4, line 21 – Page 5, line 10; Page 6, lines 7-14; Page 7, lines 15-23.]

The claimed invention of dependent claim 5 recites that the electromagnetic wave blocking member (Fig. 2, element 6, may be a metal sheet (Fig. 5, element 13) arranged in the heat radiating elastic member (Fig. 2, element 5). [Page 13, line 30 - Page 14, line 6.]

The claimed invention of dependent claim 6 recites that the metal sheet (Fig. 5, element 13) may have a roughened surface. [Page 14, lines 12-21.]

The claimed invention of dependent claim 9 recites that the heat radiating elastic member (Fig. 2, element 5) may have resistance to heat generated by the electromagnetic wave generating unit (Fig. 1, element 8). [Page 7, lines 20-23.]

The claimed invention of dependent claim 10 recites that the heat radiating elastic member (Fig. 2, element 5) may isolate the electromagnetic wave generating unit (Fig. 1, element 8) from vibrations. [Page 7, lines 15-17.]

The claimed invention of dependent claim 12 recites that the electromagnetic wave generating unit (Fig. 4, element 8) may be arranged on one side of the cushioning body (Fig. 4, element 4) and the board may be arranged on another side of the cushioning body (Fig. 4, element 4). [Page 12, lines 14-18].

With respect to independent claim 13, the claimed invention is directed to a container (Fig. 3, element 4) comprising a heat radiating receptacle (Fig. 1, element 5) which radiates heat generated by a content (Fig. 3, element 8) not to heat up the content and provides cushioning for protection from physical shock; and a shield (Fig. 2, element 6) which isolates electromagnetic waves which is included in the receptacle. [Page 4, line 21 – Page 5, line 10; Page 9, line 17 – Page 10, line 8.]

The claimed invention of dependent claim 14 recites that the container (Fig. 3, element 4) may further include a board (Fig. 3, element 2) wherein the content (Fig. 3, element 8) is arranged on one side of the container and the board (2) is arranged on another side of the container. [Page 11, lines 23-29.]

This description of the invention has been submitted to comply with the Patent Office rules for submitting Appeal Briefs. This summary of the invention should not be considered as limiting the claimed invention.

REMARKS

For the reasons specifically set forth above, the outstanding rejections set forth in the Final Office Action should be reversed.


Conclusion

In view of the above remarks, it is believed that the Appeal Brief has overcome all objections. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 24, 2007

Respectfully submitted,

By  # 58,755
for D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant